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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,425	02/06/2004	John V. Frangioni	01997-319001

26161  
FISH & RICHARDSON PC  
225 FRANKLIN ST  
BOSTON, MA 02110



CONFIRMATION NO. 2053

## FORMALITIES LETTER



\*OC000000012553592\*

Date Mailed: 05/06/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/19/2004 CNGUYEN 00000012 10772425

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1202	90.00 OP
04 FC:1201	86.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 2a,3a,6.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$36 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$936** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$36**
  - \$36 for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John V. Frangioni et al.  
Patent Appln. No.: 10/772,425  
Filed: February 6, 2004  
Title: MATERIALS AND METHODS FOR NEAR-INFRARED AND  
INFRARED LYMPH NODE MAPPING

Group/A.U. 3737  
Examiner Unknown

Docket No. 14952.0319

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts mailed May 6, 2004, enclosed are the following:


1. Executed Declarations and Powers of Attorney for Utility or Design Patent Application;
2. a Petition for Extension of Time;
3. a copy of the Notice to File Missing Parts;
4. a Preliminary Amendment including replacement drawings for Figures 2A, 3A, and 6, new claims 23-25, and amending a clerical error; and
5. a check in the amount of \$ 1,576 for the filing, surcharge, extension, excess claims, and assignment recording fees.

Applicant: John V. Frangioni et al.  
Patent Appln. No.: 10/772,425  
Filed: February 6, 2004  
Title: MATERIALS AND METHODS FOR NEAR-INFRARED AND INFRARED LYMPH NODE MAPPING

The Commissioner is hereby authorized to charge any fee deficiencies or credit any overpayments to Deposit Account No. 19-4293.

Respectfully submitted,

Date: 8-18-04

  
Harold H. Fox  
Reg. No. 41,498

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